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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,472	09/22/2005	Francois Gratien	403210/WEINSTEIN	4720
23548 7590 11/01/2007 LEYDIG VOIT & MAYER, LTD 700 THIRTEENTH ST. NW SUITE 300 WASHINGTON, DC 20005-3960			EXAMINER TAOUSAKIS, ALEXANDER P	
			ART UNIT 3726	PAPER NUMBER
			MAIL DATE 11/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/511,472

Applicant(s)

GRATIEN ET AL.

Examiner

Alexander P. Taousakis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/18/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is insufficient antecedent basis for the following limitations in the claims:

Claim 1 recites the limitation "the positioning device" in line 6.

Claim 3 recites the limitation "second actuator" in line 3, without reciting a "first actuator."

Claim 11 recites the limitation "application plates," and recites a single application plate in previous claims.

Claim 12 recites the limitation "the indexing finger" on page 10.

Claim Rejections - 35 USC § 102

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hess et al (USPN 4,620,354).

1.

Hess et al teaches an apparatus for applying weather stripping (10) to a motor vehicle body, the body having an elongated receiving surface with a profile, the weather stripping (10) comprising a thin wing having a bonding surface corresponding to the receiving surface and a hollow longitudinal tube connected to the wing (*see Figure 3*), the apparatus comprising:

an application plate (38) for application of the bonding surface of the weather stripping (10) to the receiving surface;

means for pressing (32) the weather stripping (10) against the receiving surface (*see Figure 4*);

means for guiding (48) the application plate (38) over a trajectory along the profile of the receiving surface (*see column 2 lines 38-42*); and

guide means comprising first means of referencing the body of the vehicle with respect to the apparatus, wherein the guide means comprises programmable articulated mechanical means (35) for displacing the application plate (38) and means for programming the articulated mechanical means (35) to adapt the trajectory of the application plate (38) to different profiles corresponding to different vehicles (*see*

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column 2 lines 32-68, and note that the robot/articulated mechanical means 35 is programmed for the various tasks it accomplishes during the installation process).

2. Hess et al teaches an application plate (38) that is selectively connected to/disconnected from the articulated mechanical means (35) *(see Figures 1 and 2 and note that application plate (38) is integral with end effector (32), which is selectively removable from arm (34) of articulated mechanical means (35) through a plurality of bolts).*

3.

Hess et al teaches the apparatus according to claim 1 wherein the means for pressing the weather stripping (10) includes a second actuator which selectively forces the application plate (38) towards the receiving surface *(see Figure 4, and note that sensor 48 determines the profile of the receiving surface to determine the required parameters (i.e. force, pressure), therefore selectively forces the application plate depending on the location of the receiving surface relative to the weather stripping).*

4.

Hess et al teaches the apparatus according to claim 2, wherein the application plate (38) comprises a support (42) and an application roller (41) *(see Figure 4)* for application of the weather stripping (10) to the receiving surface (13), the application

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roller (41) rolling on a rolling surface of the thin wing on a side of the wing opposite the bonding surface (*see Figure 4*).

5.

Hess et al teaches the apparatus according to claim 4, wherein the application roller (41) rotates freely with respect to the support (42) and is rotated by a drive element (30) carried by the articulated mechanical means (35).

7.

Hess et al teaches the apparatus according to claim 4, wherein the application plate (38) comprises second means of referencing (43) for positioning a downstream end of the weather stripping in a predetermined reference position with respect to the application roller (*see Figure 5 and column 2 lines 25-29*).

Allowable Subject Matter

Claims 6 and 8-12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

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Claim 6:

The prior art fails to teach an application plate including means for peeling a protective element of the weather stripping to expose a coating of adhesive material by winding the protective element with a roller.

Claims 8-9:

The prior art fails to teach the claimed apparatus including a referencing means comprising a first arm articulated on a support and an indexing finger connected to the first arm, wherein the indexing finger engages the weather stripping for initial positioning.

Claim 10:

The prior art fails to teach the claimed apparatus including an upstream guide means having third and fourth rollers that are perpendicular to first and second rollers.

Claims 11-12:

The prior art fails to teach the claimed apparatus including a plurality of application plates that are removably connected to an articulated mechanical means, wherein the plurality of application plates are transferred on a feed conveyer to the articulated mechanical means.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander P. Taousakis whose telephone number is (571) 272-3497. The examiner can normally be reached on 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

APT



DAVID P. BRYANT
SUPERVISORY PATENT EXAMINER

10/25/07